#### Case 3:73-cv-00128-RCJ-WGC Document 5 Filed 01/03/95 Page 1 of 11 GORDON H. DePAOLI 1 WOODBURN AND WEDGE One East First Street 2 U.S. DISTRICT COURT Suite 1600 **DISTRICT OF NEVADA** P.O. Box 2311 3 **FILED** Reno, Nevada 89505 Telephone: (702) 688-3000 4 IAN 3 图层 Attorneys for WALKER RIVER IRRIGATION DISTRICT CLERK, U.S. DISTRICT COURT U.S. DISTRICT COURT DISTRICT OF NEVADA **DEPUTY** RECEIVED NOV 1 5 1994 IN THE UNITED STATES DISTRICT COURT CLERK, U.S. DISTRICT COURT FOR THE DISTRICT OF NEVADA 10 BY DEPUTY 11 IN EQUITY NO. C-125 UNITED STATES OF AMERICA, 12 SUBFILE NO. C-125-B 13 Plaintiff, WALKER RIVER PAIUTE TRIBE, 14 15 Plaintiff-Intervenor, 16 vs. 17 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 18 Defendants. STIPULATION AND ORDER 19 CONCERNING MINERAL COUNTY'S MOTION TO 20 WALKER RIVER PAIUTE TRIBE, INTERVENE AND FOR PRETRIAL CONFERENCE 21 Counterclaimant, THEREON 22 (First Request) vs. 23 WALKER RIVER IRRIGATION DISTRICT, et al., 24 Counterdefendants. 25 26 On or about October 25, 1994, Mineral County, Nevada 27 filed a Notice of Motion and Motion for Intervention and 28 WOODBURN AND supporting documents in this matter (the "Motion to Intervene").

WEDGE ATTORNEYS ONE EAST FIRST STREET RENO, NEVADA 89501 (702) 688-3000

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- 2. The Motion to Intervene was served by mail on counsel for the United States, the Walker River Paiute Tribe, the California State Water Resources Control Board, California Trout, Inc. and the United States Board of Water Commissioners on October 25, 1994 and on counsel for the State of Nevada and the Walker River Irrigation District on November 2, 1994.
- 3. The Motion to Intervene was also served by mail on various other persons on October 25, 1994.
- 4. A pretrial conference concerning the Motion to Intervene would be useful in expediting its disposition.
- 5. A determination should be made as to who should receive notice of and have an opportunity to respond to the Motion to Intervene.
- 6. The undersigned are available for a pretrial conference concerning the Motion to Intervene within the next thirty (30) days at the convenience of the Court.
- 7. There have been no previous extensions of time sought or granted with respect to a response to the Motion to Intervene.

NOW, THEREFORE, based upon the foregoing and subject to the approval of the Court, the undersigned hereby stipulate as follows:

- 1. That a pretrial conference be held concerning the Motion to Intervene at a date and time convenient to the Court and counsel and preferably within the next thirty (30) days;
- 2. That no response to the Motion to Intervene be required pending the order of the court at the pretrial conference; and

(702) 688-3000

#### Case 3:73-cv-00128-RCJ-WGC Document 5 Filed 01/03/95 Page 3 of 11

- 3. That the undersigned shall separately serve and file at least ten (10) days prior to the pretrial conference, a report concerning the following issues:
- (a) The persons who should be given notice of and an opportunity to respond to the Motion to Intervene; and
- (b) Any other matter which will aid in the disposition of the Motion to Intervene; and
- 4. Pending the order of the court at the pretrial conference the undersigned will serve counsel for Mineral County

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WEDGE ATTORNEYS ONE EAST FIRST STREET RENO. NEVADA 89501 (702) 688-3000

## Case 3:73-cv-00128-RCJ-WGC Document 5 Filed 01/03/95 Page 4 of 11

1	with a copy of any paper required	to be served and filed herein
2	under the Federal Rules of Civil Procedure.	
3	DATED this 15th day of November, 1994.	
4		Frankie Sue Del Papa
5	One East First Street, Suite 1600 P.O. Box 2311	State of Nevada
6	Reno, Nevada 89505	123 West Nye Lane Carson City, Nevada 89710
7	By Dardn K. Defaul	
8	GORDON H. DePAOLI Attorneys for WALKER RIVER	By See signature via facsimile attached SUSAN JOSEPH-TAYLOR
9	IRRIGATION DISTRICT	Attorneys for the State of Nevada
10	VARGAS & BARTLETT 201 West Liberty Street, Suite 300	
11	P.O. Box 281 Reno, NV 89504	1007 Pearl Street Boulder, CO 80302
12		By See signature via facsimile attached
13	By See signature via facsimile attached LINDA BOWMAN	SCOTT B. McELROY Attorneys for Walker River
14	Attorneys for United States Board Water Commissioners	
15	Daniel Lungren	ZEH, SPOO & HEARNE 450 Marsh Avenue
16	Attorney General 2101 Webster Street, 12th Floor	Reno, Nevada 89509
17	Oakland, CA 94612-3049	By See signature via facsimile attached Attorneys for Mineral County
18	Drm.	
19		ENERSEN
20	Attorneys for the California State Water Resources Control Board	Three Embarcadero Center dSan Francisco, CA 94111
21	Kathryn Landreth	BySee signature via facsimile attached
	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945 Denver, Colorado 80202	IT IS SO ORDERED.
23		
24	BySee signature via facsimile attached JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of America	DATED
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WOODBURN AND
WEDGE
ATTORNEYS
ONE EAST FIRST STREET
RENO. NEVADA 89501
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### Case 3:73-cv-00128-RCJ-WGC Document 5 Filed 01/03/95 Page 5 of 11

I	with a copy of any paper required	to be served and filed herein
2	under the Federal Rules of Civil P	rocedure.
3	DATED this day of No	vember, 1994.
4	WOODHURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa
5	P.O. Box 2311 Reno, Nevada 89505	State of Nevada 123 West Nye Lane
6	Mono, Bevada 63505	Carson City, Nevada 89710
7	GORDON H. DaPAOLI	Ву
8	Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR
9		Attorneys for the State of Nevada
10	VARGAS & BARTLETT 201 West Liberty Street, Suite 300	
11	P.O. Box 281 Reno, NV 19504	1007 Pearl Street Boulder, CO 80302
12	By Frida a. Bowman	Ву
13	By LINDA BOWMAN Attorneys for United States Board	Attorneys for Walker River
14	Water Commissioners	Faiute Tribe
15	Daniel Lungren Attorney General	ZEH, SPOO & HEARNE 450 Marsh Avenue
16	2101 Webster Street, 12th Floor	Reno, Nevada 39509
17	Oakland, Ch 94612-3049	Attorneys for Mineral County
18	MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN &
19	FOR THE CATTIONIE	Three Emparcadero Center
20	State Water Resources Control Board	·
21	Kathryn Landreth John P. Lange	DAVID E. MOSER
22	. NAT TACK DEFECT, DEFFE NATIO	Attorneys for Cal-Trout, Inc.
23	Denver, Colorado 80202	IT IS SO ORDERED.
24	Бу	
25	JOHN P. LANGE Attorneys for the United States of	UNITED STATES DISTRICT JUDGE
26	America	DATED
27		

### Case 3:73-cv-00128-RCJ-WGC Document 5 Filed 01/03/95 Page 6 of 11

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3	DATED this day of Nov	vember, 1994.
4	WOODBURN and WEDGE	Frankie Sue Del Papa
5	One East First Street, Suite 1600 P.O. Box 2311	
6	P.O. Box 2311 Reno, Nevada 89505	123 West Nye Lane Carson City, Nevada 89710
7	Ву	
		Ву
8	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR
9		Attorneys for the State of Nevada
10	VARGAS & BARTLETT	and the second of the second o
10	201 West Liberty Street, Suite 300	1007 Pearl Street
11		Boulder, CO 80302
12		Ву
	Ву	SCOTT B. McELROY Attorneys for Walker River Paiute Tribe
13	LINDA BOWMAN	Attorneys for Walker River
[	Attorneys for United States Board	Paiute Tribe
14	Water Commissioners	
18	Daniel Lungren Attorney General	ZEH, SPOO & HEARNE
15	Daniel Lungren	450 Marsh Avenue
16	2101 Webster Street, 12th Floor	Reno, Nevada 89509
-	Oakland, CA 94612-3049	Rv
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18	By // all. Saleliser	McCUTCHEN, DOYLE, BROWN &
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19	Attokneys for the California	Three Embarcadero Center
20	State Water Resources Control Board	isan Francisco, CA 94111
20		_
21	Kathryn Landreth	DAVID E. MOSER
<b>41</b>	John P. Lange	DAVID E. MOSER
22	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
ł	Denver, Colorado 80202	IT IS SO ORDERED.
23	3333	
24	By	
	JOHN P. LANGE	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of	
	America	DATED
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### Case 3:73-cv-00128-RCJ-WGC Document 5 Filed 01/03/95 Page 7 of 11

1	with a copy of any paper required	to be served and filed herein
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3	DATED this day of No	vember, 1994.
4	WOODBURN and WEDGE	Frankie Sue Del Papa
5	One East First Street, Suite 1600 P.O. Box 2311	State of Nevada
6	P.O. Box 2311 Reno, Nevada #9505	123 West Nye Lane Carson City, Nevada 89710
7		
8	GORDON H. DePAOLI	SUSAN JOSEPH-TAVLOR
9	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT  VARGAS & BARTLETT	Attorneys for the State of Nevada
10	VARGAS & BARTLETT 201 West Liberty Street, Suite 300	CREENE MEVER & MARIDAU D.C.
. !	P.O. Box 281	1007 Pearl Street
11	P.O. Box 281 Reno, NV 89504	
12	By	Ву
13	T.TNDA BOWMAN	SCOTT B. MCELROY Attorneys for Walker River
	Attorneys for United States Board	Paiute Tribe
14	Water Commissioners	ZEH, SPOO & HEARNE
15	Daniel Lungren	450 Marsh Avenue
16	Attorney General 2101 Webster Street, 12th Floor	Reno, Nevada 89509
10		Ву
17		Attorneys for Mineral County
18	By	MCCUTCHEN, DOYLE, BROWN &
10	By	ENERSEN
19	Attorneys for the California State Water Resources Control Board	Three Embarcadero Center
20		·
21	Kathryn Landreth	By
	John P. Lange United States Attorney	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945	
23	Denver, Colorado 80202	IT IS SO ORDERED.
24	By John Jange	
25	Attorneys for the United States of	UNITED STATES DISTRICT JUDGE
26	America	DATED
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WOODBURN AND
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ATTORNEYS
INST RAST PIRST STREET
RENO, NEVADA 19381
(703) 444-3000

# Case 3:73-cv-00128-RCJ-WGC Document 5 Filed 01/03/95 Page 8 of 11

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1	with a copy of any paper required	to be served and filed herein
2.	under the Federal Rules of Civil Pr	ocedure.
3	DATED this day of Nov	vember, 1994.
4	TOODDOWN WING THE STREET SUITE 1500	Frankie Sue Del Papa Attorney General
5	P.O. Box 2311 Reno, Nevada 89505	State of Nevada 123 West Nye Lane
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7	GORDON H. DePAOLI	By Sept-ay
8	GORDON H. DEPACLI Attorneys for WALKER BIVER IRRIGATION DISTRICT	Attorneys for the state of
9	II was a said of the Political Type	
10	201 West Liberty Street, Suite 300 P.O. Box 281	TOO Lear Derese
11	P.O. Box 281 Reno, NV 89504	Bouldor, CO 80302
12	Ву	SCOTT B. MCELROY
13	LINDA BOWMAN Attorneys for United States Board	Attorneys for Walker River Painte Tribe
1.4	Water Commissioners	ZEH. SPOO & HEARNE
15	Daniel Lungren Attorney General	450 Marsh Avenue Reno, Nevada 89509
16	2101 Webster Street, 12th Floor Oakland, CA 94612-3049	
17		Attorneys for Mineral County
18	ByBUACKENEDACUE	MCCUTCHEN, DOYLE, BROWN & ENERSEN
19	MARY E. HACKENBRACHT Attorneys for the California State Water Resources Control Boar	Three Embarcadero Center
20		By
21	Kathryn Landreth John P. Lange	DAVID E. MOSER Attorneys for Cal-Trout, Inc.
22		IT IS SO ORDERED.
23	Denver, Colorado 80202	II ID DO CAUDADO.
24		UNITED STATES DISTRICT JUDGE
25	JOHN P. LANGE Attorneys for the United States of	
26	America	DATED

WOODBURN AND
WEDGE
ATTORNEYS
ONE EAST FIRST STREET
AUNO, NEVADA 89/201
(702) 688-3000

# Case 3:73-cv-00128-RCJ-WGC Document 5 Filed 01/03/95 Page 9 of 11

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3	DATED this day of No	vember, 1994.
4	WOODBURN and WEDGE One East First Street, Suite 1600	Frankie Sue Del Papa Attorney General
<b>5</b>	P.O. Box 2311 Reno, Nevada 89505	123 West Nye Lane Carson City, Nevada 89710
7	By	
8	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR Attorneys for the State of Nevada
10	VARGAS & BARTLETT 201 West Liberty Street, Suite 300 P.O. Box 281	1007 Pearl Street
11 12	Reno, NV 89504	Boulder, CO 80302
13	LINDA BOWMAN	SCOTT B. McFLROY Attorneys for Walker River
14	Attorneys for United States Board Water Commissioners	Paiute Tribe
15	Daniel Lungren Attorney General	ZÉH, SPOO A HEARNE 450 Marsh Avenue
16	Attorney General 2101 Webster Street, 12th Floor Oakland, CA 94612-3049	Des
17		Attorneys for Mineral County
18 19	MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN & ENERSEN
20	Attorneys for the California State Water Resources Control Board	Titree turpercenero celleer
21	Kathryn Landreth John P. Lange	DAVID E. MOSER
22	United States Attorney 999 - 18th Street, Suite 945	Attorneys for Cal-Trout, Inc.
23	·	IT IS SO ORDERED.
24	By	INTER CHARGE PLEASTON THOCA
25	Attorneys for the United States of America	DATED
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3	DATED this day of No	vember, 1994.
4	WOODBURN and WEDGE	Frankie Sue Del Papa
	One East First Street, Suite 1600	Attorney General
5		
6	Reno, Nevada 89505	123 West Nye Lane
•		Carson City, Nevada 89710
7	Ву	
	GORDON H. DePAOLI	Rv
8	GORDON H. DePAOLI Attorneys for WALKER RIVER IRRIGATION DISTRICT	SUSAN JOSEPH-TAYLOR
	IRRIGATION DISTRICT	Attorneys for the State of
9		Nevada
10	VARGAS & BARTLETT	
	201 West Liberty Street, Suite 300 P.O. Box 281	GREENE, MEYER & MCELROY, P.C. 1007 Pearl Street
11		Boulder, CO 80302
12	_	Ву
13	By	SCOTT B. McEIROY Attorneys for Walker River Paints Tribs
4.5	LINDA BOWMAN	Attorneys for Walker River
14	Attorneys for United States Board Water Commissioners	Palute Tribe
	· · · — –	ZEH, SPOO & HEARNE
15	Daniel Lungren	450 Marsh Avenue
	Attorney General	Reno, Nevada 89509
16	2101 Webster Street, 12th Floor	
17	Oakland, CA 94612-3049	By
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18	MARY E. HACKENBRACHT	MCCUTCHEN, DOYLE, BROWN A
	MARY E. HACKENBRACHT	ENERSEN
19	ALLOTHEVS FOR THE CALLFORNIA	Three Embarcadero Center
20	State Water Resources Control Board	dSan Francisco, CA 94111
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21	John P. Lange	DAVID E. MOSER
		Attorneys for Cal-Trout, Inc.
22	999 - 18th Street, Suite 945	moderate tot out-itout, inc.
	Denver, Colorado 80202	IT IS SO ORDERED.
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- 1	By	UNITED STATES DISTRICT JUDGE
25	Attorneys for the United States of	
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